

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**FILED**

JAN 23 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ANGEL MENDEZ; JENNIFER LYNN  
GARCIA,

Plaintiffs-Appellees,

v.

COUNTY OF LOS ANGELES; LOS  
ANGELES COUNTY SHERIFF'S  
DEPARTMENT,

Defendants,

and

CHRISTOPHER CONLEY, Deputy;  
JENNIFER PEDERSON,

Defendants-Appellants.

ANGEL MENDEZ; JENNIFER LYNN  
GARCIA,

Plaintiffs-Appellants,

v.

COUNTY OF LOS ANGELES; LOS  
ANGELES COUNTY SHERIFF'S  
DEPARTMENT,

Defendants,

and

No. 13-56686

D.C. No.  
2:11-cv-04771-MWF-PJW  
Central District of California,  
Los Angeles

ORDER

No. 13-57072

D.C. No.  
2:11-cv-04771-MWF-PJW

CHRISTOPHER CONLEY, Deputy;  
JENNIFER PEDERSON,

Defendants-Appellees.

Before: GOULD and BERZON, Circuit Judges, and STEEH,\* District Judge.

The parties shall file supplemental letter briefs addressing two issues. (1) The parties should address whether the damages in this case were proximately caused by the unlawful entry itself, i.e. the trespass. In doing so, the parties should not revisit arguments addressing whether the failure to get a warrant was the proximate cause of the Plaintiffs' injuries, as that question was already addressed in prior supplemental briefing. (2) The parties should address whether the plaintiffs can recover under their California negligence theory. In doing so, the parties should specifically address the implications of the California Supreme Court's decision in *Hayes v. County of San Diego*, 57 Cal.4th 622 (2013).

Parties shall file simultaneous letter briefs on or before twenty-one (21) days from the filed date of this order. The briefs shall not exceed 4,500 words. Parties who are registered for ECF must file the supplemental brief electronically without submission of paper copies. Parties who are not registered ECF filers must file the original supplemental brief plus 15 paper copies.

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\* The Honorable George Caram Steeh III, United States District Judge for the Eastern District of Michigan, sitting by designation.